

DEC 14 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

TRACY DARNELL CARTER,
Plaintiff,

v.

SCOTT E. GARDNER, et al.,
Defendants.

)
)
)
)
)
)
)

Civil Action No. 7:09-cv-00502

ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the complaint is **DISMISSED without prejudice as frivolous**, pursuant to 28 U.S.C.

§ 1915A(b)(1) and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 11th day of December, 2009.

[Signature]
Senior United States District Judge